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TAGS: PARM KACT MARR PREL RS US

SUBJECT: SFO-GVA-VIII: (U) MEMORANDUM OF UNDERSTANDING WORKING GROUP
MEETING, FEBRUARY 1, 2010

REF: 10 CD GENEVA 83 (SFO-GVA-VIII-009)

CLASSIFIED BY: Rose A. Gottemoeller, Assistant Secretary, Department
of State, VCI; REASON: 1.4(B), (D)

11. (U) This is SFO-GVA-VIII-011.

12. (U) Meeting Date: February 3, 2010

Time: 10:00 A.M. - 12:45 P.M.

Place: Russian Mission, Geneva

SUMMARY

13. (S) The Memorandum of Understanding (MOU) Working Group (WG)
met on February 3 and discussed Sections I and II of Part Two, the
initial data exchange, heavy bomber categories, and the Leninsk
Test Range. During the meeting, the Russian side clarified that it
did not intend to provide any base-by-base data in the initial data
exchange, a position which came as a surprise to the U.S. side.
The sides also engaged in a lengthy discussion about Russia's use
of the Leninsk Test Range in Kazakhstan. End summary.

¶4. (S) SUBJECT SUMMARY: Missile Defense the Major Remaining Issue; Surprising Russian Position on Initial Data Exchange; Working Through the MOU Once More; Leninsk; and Site Diagrams.

MISSILE DEFENSE THE MAJOR REMAINING ISSUE

¶5. (S) General Orlov noted most issues had been agreed and the Russian side had several proposals for resolving the remaining issues. Mr. Trout agreed with his assessment. Orlov commented that the dynamic in the MOU WG differed from the discussions at the Heads of Delegation level, where Ambassador Antonov had "very complicated" discussions with Assistant Secretary Gottemoeller. Orlov revealed that Antonov was "worked up" after his last meeting with Gottemoeller due to unresolved issues. He remarked that the major remaining issue in the treaty negotiations was the interrelationship between strategic offensive arms (SOA) and strategic defense. He stated that progress on issues in Moscow had been clearly linked to the missile defense question. Trout acknowledged the Russian concern with the issue.

¶6. (S) Trout handed over the U.S.-revised Part Two, Section I,

Paragraph 2, noting that it incorporated Russian positions and asked that it be discussed during the meeting.

Begin text:

¶12. The Parties shall exchange the data according to the categories of data contained in this Part no later than 45 days after signature of the Treaty, based upon the data exchanged on July 1, 2009, under the START Treaty. For this initial exchange, the Parties shall not provide any data related to:

(a) Geographic coordinates;

(b) Unique Identifiers;

(c) Warheads on deployed ICBMs and SLBMs, as well as nuclear warheads counted for deployed heavy bombers; and

[(d) Aggregate data on the number of deployed ICBMs, deployed SLBMs, and deployed heavy bombers]2

End text.

SURPRISING RUSSIAN POSITION ON INITIAL DATA EXCHANGE

¶17. (S) Colonel Pischulov began the Russian agenda with discussion of Section I, Paragraph 3. He proposed a number of wording changes, including the addition of the word "facilities" after references to "site diagrams," acceptance of the U.S.-proposed "as applicable" terminology, and removal of the Russian brackets around the word "declared" with respect to new facilities. The sides discussed moving elements of Paragraph 3, specifically subparagraphs (b) and (c), to the Annex, arguing that these two subparagraphs addressed situations that could come about after entry-into-force (EIF) but were not pertinent to establishing the requirements for exchanges prior to EIF. After a short discussion, Trout stated that the proposal sounded reasonable and he would take the matter under consideration.

¶18. (S) Regarding paragraph 4, Pischulov proposed a compromise of

45 days after EIF for exchange of photographs based on the recommendation of their inspectors. Trout agreed.

¶19. (S) Trout raised the new text provided on the U.S.-proposed Paragraph 2 and along with LT Lobner pressed for clarification regarding which information would be exempted from the initial exchange of data. The Russian side emphasized they would provide aggregate data on total forces but would not provide any base-by-base information. Orlov summarized the Russian position as that the Parties would be required to provide only Part Two, Section II data in the initial exchange; in other words, the central and supplementary limits. Trout noted the United States had misunderstood the Russian position and asked for confirmation that the Russian position was that the Parties would provide only Section II data in the initial exchange of data 45 days after signature. Orlov confirmed that this assessment was correct. Pischulov clarified that Russia would also provide data on Sections VII through IX (technical data), but not Sections III through V. (Begin comment: The old Section IX was deleted in the previous meeting. End comment.)

¶110. (S) Trout responded that the U.S. side expected to exchange all information, including Sections III through V, except for data on warheads, unique identifiers (UIDs) and coordinates. Orlov said the Russians would consider providing the aggregate data listed at the beginning of Sections III through V, but not the base-by-base data. Trout asked whether this would be data current as of signature or current as of July 2009 START MOU data. Orlov confirmed that it would be July 2009 MOU data, as agreed to in December.

¶111. (S) Trout explained that the U.S. view was to exchange as much data as possible, including base-by-base data, at an early stage. This would allow the Parties to flush out differences in interpretations of their obligations. Orlov countered that the Russian side did not see utility in discussing this data after the initial exchange because the Parties would be unable to modify the document substantially at that stage.

¶112. (S) Pischulov asked the U.S. side to clarify its position. Lobner confirmed that the U.S. proposal was to exchange all data for all sections, except data related to coordinates, UIDs and warheads. Orlov emphasized that the Russians had clearly stated their position in their proposed Section I, Paragraph 2(b). Trout commented that this was clearly a misunderstanding. Orlov remarked that the U.S. side was continually relating the initial data exchange to Senate ratification, but pointed out that the United States would have site diagrams and aggregate data to show the Senate. Furthermore, the Parties would exchange the full required

data within 30 days after EIF, which was the most important information in any case. Orlov also restated that the Russian side could consider providing aggregate data for Sections III through V. Trout replied that he would report the Russian position back to the U.S. Head of Delegation. Orlov confessed that he doubted he would succeed in convincing his colleagues to agree to the U.S. proposal, and would even have great difficulty convincing them to provide

aggregate data for Sections III through V. Trout pointed out that when it came to providing aggregate warhead data, U.S. law mandated that the treaty EIF before certain warhead data could be released.

WORKING THROUGH THE MOU ONCE MORE

¶13. (S) Turning to Section II, Trout asked where Orlov would like to place the 800 limit on deployed and non-deployed launchers and heavy bombers ("the third limit"). Pischulov spoke about the similarities between some of the existing categories in paragraph 2 and the third limit, stating that perhaps some categories could be deleted or merged. He asked Trout where he would like to place the third limit. Trout referred back to the previous meeting and suggested matching the location of the third limit in the database to the location of the actual limit in the treaty text. In addition to making this suggestion, he noted he would continue to think about the issue.

¶14. (S) Orlov asked about the U.S. view on counting rules for heavy bombers, specifically the question of deployed and non-deployed status. Trout replied that the United States would come to a decision on the question soon. He said it was possible that the non-deployed category would include test heavy bombers, heavy bombers in long-term maintenance, and heavy bombers awaiting elimination. He noted that this was the Russian position 3 months previously, which Orlov confirmed. Trout told the Russians that the position was not yet official, and that he expected Secretary of Defense Representative Dr. Warner to deliver a full presentation on the issue the following week.

¶15. (S) Pischulov noted there were ambiguities in the draft Protocol on UIDs, specifically with respect to the UID category listed for missiles in test launchers. Trout replied that the category was necessary, but often no UID would be listed because no missile would be deployed in a test launcher. However, if a missile happened to be in the launcher at the time of the update, then a UID would be required. Pischulov asked whether the United States demanded UIDs for training facilities. Trout replied in the negative, stating the United States only wanted coordinates.
(Begin comment: This was an error in the Russian text. End comment.)

¶16. (S) Pischulov asked whether the U.S. wanted warhead information for basing areas, and Trout replied that it did. Orlov asked whether warhead data for individual missiles would be required. Trout answered the United States proposed to exchange warhead data for the base and basing area but not for individual missiles. Orlov commented that the Russians would probably agree to give aggregate warhead data for each basing area but that he would consult with his delegation and respond formally at the next session.

¶17. (S) For Section VI, Pischulov asked for updates on remaining brackets regarding the language for launchers located at space launch facilities. Trout responded that this language was still dependent on some other issues, namely soft site launchers, which would be discussed in the Definitions Working Group. Consequently, they remain bracketed.

¶18. (S) In Section VIII, Pischulov proposed a compromise in which the Russian side would delete some recognition features of heavy bombers in exchange for U.S. acceptance of the remaining categories of recognition features. The Russians proposed dropping categories on the following: type of nuclear armaments for which a heavy bomber is equipped; maximum number of nuclear armaments for which any heavy bomber of this type and variant of a type is actually equipped; maximum number of nuclear armaments carried on external attachment joints; maximum number of nuclear armaments carried in internal weapons bays; maximum number of nuclear armaments carried on each pylon; distance between joints for attaching nuclear armaments to pylon; and maximum number of nuclear armaments for which launcher is equipped. Trout agreed to consider the proposal.

¶19. (S) In the new Section IX (Formerly Section X, Other Data Required by the Treaty), Orlov asked for confirmation that the sides would drop the category for nuclear armaments for heavy bombers. Trout replied that the United States would probably agree and he would check on the matter.

LENINSK

¶20. (S) Trout raised the issue of Leninsk and the proposed Agreed Statement on the test range (Reftel). He explained that the United States needed to have the substance of the proposed statement either in an Agreed Statement or in the Protocol. It was not acceptable for SOA simply to disappear from the database. The sides needed clarity as to what happened with missiles that left Russia.

¶21. (S) Orlov replied that the Russians had several problems with the proposed statement. First was the issue of singling out Kazakhstan, since Kazakhstan had specifically stated that, unless they were omitted from the treaty, they would insist on participating in its deliberations. More broadly, Russia did not understand the U.S. concern regarding Leninsk. The United States had comparable issues, for instance with the United Kingdom and Meck Island, he said. He added that Russia had not received a

clear answer to its questions about the proposed statement during the Ad Hoc meeting the day before (Reftel). He said Russia would notify the U.S. regarding the transit and launch of accountable missiles and if the missiles had UIDs, then the United States would have all the needed information.

¶22. (S) Trout responded that the United States would provide movement notifications for treaty-accountable missiles with respect to Meck Island. Further, the United States would declare the facility if a treaty-accountable missile was taken there. Trout noted that the United States was only launching Trident I C-4 missiles from Meck Island, and the C-4 would not be accountable under this treaty. Trout said the U.S. relationship with the

United Kingdom (UK) was different from the Russian relationship with Kazakhstan. In the U.S.-UK instance, the United States would sell a missile to the UK, which would then take ownership of it. Russia, on the other hand, would never relinquish control of a missile to Kazakhstan. Trout emphasized that the United States was not trying to restrict Russia, but was simply seeking to account for the unique circumstances presented by Leninsk, and to identify appropriate notifications and procedures tailored to the situation. Orlov countered that he did not understand the U.S. concerns nor did he accept the distinction from the UK case.

¶123. (S) Asking to go "off the record," Orlov queried Trout what he envisioned for the agreed statement. Would the facility be subject to inspection? Would there be a 30-day movement restriction? Trout replied that the 30-day restriction would apply, just like the 30-day movement restriction applied to all missile movements. After Orlov pointed to the February 2 U.S.-proposed agreed statement, Trout commented there were problems with that version, and a final proposed version was not yet complete.

¶124. (S) Trout remarked that the issue of space launch facilities (SLF) outside national territory had been an issue under START. The U.S.-proposed agreed statement on Leninsk was developed to account for various scenarios that could arise with missiles located outside national territory. One such scenario addressed how to track an expended launch canister if the missile was launched at an SLF outside national territory. According to the proposed agreed statement, under this scenario, the canister would be eliminated either on-site or after it was returned to Russia. Another scenario involved the situation if a problem arose with the missile, in which case it would be returned to national territory for repair. Orlov stated that it was impossible to develop language that would capture every possible situation.

¶125. (S) Trout also sought to clarify that the Russian relationship with Kazakhstan was not an existing pattern of cooperation, specifically, that Russia retains control of its missiles. Summing up, Trout stated that the United States did not propose to inspect Leninsk, but sought to ensure that the treaty's provisions would apply when items were outside of national territory. Trout emphasized that, in any case, a missile leaving national territory would still have to be assigned to some declared facility in Russia.

¶126. (S) Orlov countered that unique identifiers (UIDs) were central to this issue, and turned the discussion to the question of what would happen to Trident II D-5 SLBMs turned over to the UK. Would the United States notify Russia? Trout responded that the UK would not be subject to this treaty but the United States would notify Russia when the UK picked up missiles. Orlov retorted that the United States had repeatedly underlined the importance of tracking missiles throughout their lifecycle. In light of this, he stated, Russia had accepted UIDs. In this case, however, Russia would only know when the missiles had been sold. He emphasized the deficit in information Russia would receive as opposed to what the United States would know about missiles at Leninsk. Trout asked which declared facility a missile would be assigned to when located at Leninsk. Orlov replied that they would be declared at Leninsk, but clarified that the Leninsk Test Range itself would not be a declared facility.

¶127. (S) Trout pointed out that this was precisely why the U.S. was seeking an agreement on the topic. He emphasized that this was ultimately an accounting issue, not a test of wills. Orlov explained that some of the leaders in Moscow were more rigid. Orlov elaborated that, in explaining the obligations to provide notifications and other information under START, officers such as himself would routinely be asked why Russia needed to provide such exhaustive information and whether Russia really needed such

information from the U.S.

¶128. (S) Trout replied that the nub of the problem was that the treaty did not provide for the accountability of non-declared facilities outside of national territory. The issue was fundamentally about data. He further explained that the United States was focused on tracking missiles because during the Cold War the sides had developed wildly distorted assessments of the other's forces and programs. Since the EIF of START, the Parties had known with exactitude the other side's force structure and patterns so there was no room for exaggeration. This information would continue to be useful in the future, Trout continued, especially if a crisis were to develop. Orlov acknowledged Trout's arguments, and responded that these were the reasons why Russia would provide notifications regarding Leninsk. Trout restated that the substance of the agreement did not need to appear in an agreed statement but did need to be somewhere in the treaty or protocol. Nearing the end of this discussion, Orlov admitted that he now understood the U.S. concerns in principle, and would think the matter over to find a solution.

SITE DIAGRAMS

¶129. (S) Trout noted Gottemoeller and Antonov had discussed the

issue of site diagrams and he proposed that the MOU WG handle the issue (formerly Annex J of START's MOU). Orlov said he had not heard of the matter, but would consult with Antonov and his delegation.

¶130. (S) Pischulov asked about topics for the next meeting. The sides agreed to provide positions or answers, as applicable, to the following: Section I, paragraph 2, regarding initial data exchange requirements; Section I, paragraph 3, regarding moving two subparagraphs to the Annex; Section II, incorporation of the third limit; Section VIII, response to the Russian-proposal of deleting some categories of data; and finally Section IX, deletion of types of nuclear armaments.

¶131. (S) Documents provided:

- United States:

-- U.S.-Proposed Revised Part Two, Section I, Paragraph 2.

¶132. (U) Participants:

UNITED STATES:

Mr. Trout

Mr. Colby (RO)

LT Lobner

Mr. Sobchenko (Int)

RUSSIA:

Gen Orlov

Ms. Vodopolova

Mr. Pischulov

Ms. Evarovskaya (Int)

¶33. (U) Gottemoeller sends.
LARSON